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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/518,309	12/16/2004	Walter Gerlich	2002P03697WOUS	6666
7590	01/19/2006		EXAMINER FIGUEROA, FELIX O	
Siemens Corporation Intellectual Property Department 170 Wood Avenue South Iselin, NJ 08830			ART UNIT	PAPER NUMBER
			2833	

DATE MAILED: 01/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/518,309	Applicant(s) GERLICH ET AL.	
	Examiner Felix O. Figueroa	Art Unit 2833	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 16-27,30 and 32-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 16-27,30 and 32-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the coat/over-mold of polymer/elastomer, as required by claim 33, must be shown or the feature(s) canceled from the claim(s). No new matter should be entered. Please note that the mere addition of a reference numeral is not enough to show a coat or overmolded element.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 16-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gutter et al. (US 4,696,908).

Gutter discloses a contact device (10,31) for an electrical cable with a cable shield, comprising: an arc-shaped contact part that can be fastened around the sheath of the cable and is provided with contact elements (16) that protrude in a radially inward manner, wherein each contact element includes a tip (42) such that during installation of the contact device in a direction of impact that oriented inwards and in an essentially radial manner, the tip penetrates the cable sheath and produces an electrical contact with the cable shield, wherein the contact part is formed as a cable clip (10,31), wherein a gear ring (defined by 16) is formed from radially inward bent edges of the cable clip being, wherein teeth of the gear ring form the contact elements, wherein the gear ring has stops (18) bent radially inward between the teeth, the stops centering the cable clip in the fastened state.

Gutter discloses substantially the claimed invention except for tip of the contact elements being equally spaced. However, it would have been an obvious matter of design preference to form the tips of the contact elements being equally spaced in order to simplify design and construction of the contact device, and since applicant has not

disclosed that such structure arrangement solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with structure of Gutter. See additional discussion in section Response to Arguments.

Regarding claim 17, Gutter discloses the teeth of the fastened contact clip penetrating the cable sheath such that an electrical contact is provided in an essentially concentric area with respect to the longitudinal axis of the cable.

Regarding claims 18 and 19, Gutter discloses the cable clip is the made from a punched and shaped component of sheet metal section.

Regarding claims 20 and 21, Gutter discloses the contact teeth being triangular and shaped and the tips are arranged at equal distances apart.

Regarding claims 22-24, Gutter discloses the claimed invention except for height of the tooth. It would have been an obvious matter of design preference to form the sized of the tooth to be smaller than the thickness of the cable sheet and the cable shield in order to reduce the chances of short-circuiting with the inner conductors, and since such modification would have involved a mere change in the size of a component. A change in size is recognized as being within the level of ordinary skill in the art. *In re rose*, 105 USPQ 237 (CCPA 1955).

Regarding claims 25 and 26, Gutter discloses the teeth being arranged of the peripheral side over gaps (Fig.1).

Regarding claim 27, Gutter discloses the contact part and all the teeth being made from one piece and from the same metallic material.

Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gutter in view of Rumbach et al. (US 2003/0175550).

Gutter discloses substantially the claimed invention except for the corrosion-resistant material. Rumbach teaches the use of a tin as a corrosion-resistant coating to prevent corrosion and provide a reliable performance. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use a corrosion-resistant material, as taught by Rumbach, to prevent corrosion and provide a reliable performance.

Claims 32 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gutter in view of Applicant's Admitted Prior Art (APA) in Figure 1.

Gutter discloses substantially the claimed invention except for contact device being connected to a board/support unit. Applicant's APA teaches a contact device (6) grounding a cable to a board/support unit. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to form the contact device of the APA with teeth contact elements, as taught by Gutter, to provide an easier installation and secure grounding.

Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gutter in view of Moyles (US H000968).

Gutter discloses substantially the claimed invention except for the coat of polymer/elastic material. Moyles teaches the use of a coat of polymer/elastic material (14) to avoid damage to the cable. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to form the contact device

of Gutter with a coat of polymer/elastic material, as taught by Moyles, to avoid damage to the cable.

### ***Response to Arguments***

Applicant's arguments filed 11/21/2005 have been fully considered but they are not persuasive.

In response to Applicant's arguments that the tips being equally spaced from each other is not a mere design choice but allows a secure grip and to inhibit slipping, it is noted that this advantage is not recited in the specification, as originally filed. Accordingly, it cannot be used to support that the equally spaced tip is not a mere design choice.

Additionally, it appears that the structure shown by Gutter accomplishes the same function of secure gripping and inhibiting slipping.

Nonetheless, it is noted that Tanges and Tinnerman (of record) show tips equally spaced from each other.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

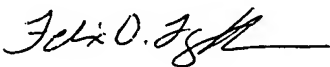
mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Felix O. Figueroa whose telephone number is (571) 272-2003. The examiner can normally be reached on Mon.-Fri., 10:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on (571) 272-2800 Ext. 33. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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THO D. TA  
PRIMARY EXAMINER